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LEGISLATIVE HISTORY •

Public Law 853--80th Congress

Chapter 766--2d Session

H. R. 4856

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DIGEST OF PUBLIC LAW 853

MINERAL INTERESTS IN LANDS. Provides that no mineral interests reserved to the U. S., which are required to be liquidated under the Farmers' Home Administration Act of 1946, shall be sold by USDA or transferred to appropriate agencies for disposition as surplus property, until hereafter authorized by law; but states that these provisions shall not supersede or modify the provisions of section 9 of the Farmers' Home Administration Act of 1946, which provides that any conveyance of real estate by the Government or any Government agency under that Act shall include all mineral rights.

INDEX AND SUMMARY OF HISTORY OF H. R. 4856

January 6, 1948	H. R. 4856 was introduced by Rep. Hope and was referred to the House Committee on Agriculture. Print of the bill as introduced.
January 14, 1948	House Committee reported H. R. 4856 without amendment. House Report 1240. Print of the bill as reported.
February 3, 1948	H. R. 4856 was discussed and passed the House as reported.
February 4, 1948	H. R. 4856 was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as referred.
June 7, 1948	Senate Committee reported H. R. 4856 with amendment. Senate Report 1517. Print of the bill as reported.
June 10, 1948	Senate discussed and passed H. R. 4856 as reported.
June 19, 1948	House concurred in the Senate amendments.
June 30, 1948	Approved. Public Law 853.

H. R. 4856

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1948

Mr. HOPE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding any other provision of law, no mineral
4 interests reserved to the United States which are required
5 to be liquidated under the terms of the Farmers' Home
6 Administration Act of 1946 shall be sold by the Secretary
7 of Agriculture or transferred by him to appropriate agencies
8 of the United States for disposition as surplus property of
9 the United States until hereafter authorized by law.

A BILL

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

By Mr. Hore

JANUARY 6, 1948

Referred to the Committee on Agriculture

80TH CONGRESS } 2d Session }	HOUSE OF REPRESENTATIVES	{ REPORT No. 1240
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RESERVED MINERAL INTERESTS

JANUARY 14, 1948.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HOPE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 4856]

The Committee on Agriculture, to whom was referred the bill (H. R. 4856) to delay the liquidation of mineral interests reserved to the United States, as required by the Farmers Home Administration Act of 1946, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

This bill would require the liquidation of mineral interests reserved to the United States to be delayed until such time as the Congress may give full consideration to the matter of disposing of such properties. Unless this bill is enacted into law before February 14, 1948, the Secretary of Agriculture under the provisions of existing law will be required to transfer the mineral interests in question to appropriate agencies of the United States for disposition as surplus property.

Prior to the effective date of the Farmers Home Administration Act of 1946 (August 14, 1946), the Bankhead-Jones Farm Tenant Act required the reservation of at least three-fourths of the minerals in or under any property sold or disposed of which was acquired by the Secretary of Agriculture pursuant to that act. Much of the land comprising the resettlement and rural-rehabilitation projects and other assets formerly administered by the Farm Security Administration was not acquired pursuant to the provisions of the Bankhead-Jones Farm Tenant Act, but, following the congressional policy set forth in that act, similar reservations of minerals were made in sales and other disposals of all land administered by the Farm Security Administration. Reservations of minerals in connection with the sales of all types of land, whether sold as family-type farms or as

surplus land, are estimated by the Department of Agriculture to total approximately 11,000 separate reservations on approximately 1,300,000 acres of land.

The Farmers Home Administration Act of 1946 directs that all conveyances of real estate by the Government under that act shall include all mineral rights. The act did not specifically mention the sale of the reserved minerals referred to above. Section 2 (b) of the Farmers Home Administration Act requires the collection and liquidation of all assets formerly administered by the Farm Security Administration in accordance with the provisions of that act and the provisions of the Bankhead-Jones Farm Tenant Act, as amended. Under this provision no distinction was made between reserved mineral assets and other assets formerly administered by the Farm Security Administration. Subsequent sections of that act, however, prescribed a specific policy to be followed in the liquidation of land and other assets. It was specifically provided that any conveyance of real estate under the act should include all mineral rights, but no definite policy was enunciated to govern the disposition of reserved mineral interests except that, being assets subject to liquidation, they fell within the provisions of section 43 pertaining to liquidation of the residuum. Section 43 of the latter act provides that real and personal property which is not reserved for sale in family-size farms or which is not sold or otherwise disposed of in accordance with the provisions of the act within 18 months after the effective date of the Farmers Home Administration Act of 1946 shall be transferred by the Secretary of Agriculture to appropriate agencies of the United States for disposition as surplus property. Since the Farmers Home Administration Act is virtually silent with respect to the manner of handling reserved mineral rights they remain substantially intact and unless this bill becomes law before February 14, 1948, such mineral interests will be transferred for disposition as surplus property.

Whether the minerals so reserved are in fact surplus to the needs of the United States or whether their disposition as surplus property will best serve the interests of the public is, at least, subject to grave doubt. In any event the committee believes the matter to be of sufficient importance to warrant further and more specific consideration with a view to developing a policy for the disposal of such properties which all can be certain will be in the best interests of the country. Time does not permit the formulation and recommendation of such a policy at present because of the directions contained in the Farmers Home Administration Act of 1946 to liquidate such properties by transferring them to other agencies of the United States for disposition as surplus. Consequently this bill is reported favorably in order that the liquidation of the mineral interests referred to herein may be delayed until such time as the matter can receive the careful consideration of the Congress.

Union Calendar No. 602

80TH CONGRESS
2^D SESSION

H. R. 4856

[Report No. 1240]

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1948

Mr. HOPE introduced the following bill; which was referred to the Committee on Agriculture

JANUARY 14, 1948

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80TH CONGRESS
2D Session

H. R. 4856

[Report No. 1240]

A BILL

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

By Mr. HOPE

JANUARY 6, 1948

Referred to the Committee on Agriculture

JANUARY 14, 1948

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

DIGEST OF CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued February 4, 1948
For actions of February 3, 1948
80th-2nd, No. 21

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HIGHLIGHTS: Rep. Murray, Wis., spoke against repeal of oleo taxes and in support of dairy industry. Senate subcommittee voted down bill to authorize meat allocation. House passed bill to delay liquidation of FHA minerals. Rep. Murray, Wis., criticized proposed ERP tobacco exports and the law prohibiting exportation of tobacco seeds and plants. Rep. Davis claimed there is USDA "discrimination against egg producers." Rep. Thompson submitted resolution to request USDA to prevent crop damage from a weed killer.

HOUSE

1. OLEOMARGARINE TAXES. Rep. Murray, Wis., spoke against repeal of these taxes and in support of the dairy industry (pp. 1054-57).
2. MINERALS. Passed without amendment H. R. 4856, to delay the liquidation of mineral interests reserved to the U. S. under the FHA Act of 1946 (p. 1022).
3. INDEPENDENT OFFICES APPROPRIATION BILL. Began general debate on this bill, H. R. 5214 (pp. 1043-53).
4. EMPLOYEES' SERVICES. Passed as reported H. R. 4427, to provide substantive authority for the Commerce Department to furnish employees of that and other departments and agencies, at Commerce Department stations in Alaska and outside the U. S., medical, commissary, messing, recreation, quarters and similar facilities and services (pp. 1024-5).
5. TOBACCO; SHEEP. Rep. Murray, Wis., criticized the law prohibiting exportation of tobacco seeds and plants, the proposed exportation of tobacco under the ERP, and the Government program regarding sheep (pp. 1067-8).
6. PUBLIC LANDS. The Public Lands Committee reported the following bills without amendment (pp. 1072-3): H. R. 3628, to revise the method of issuing patents for public lands; H. R. 4027, to transfer to Interior Department transmission lines, substations, etc. in connection with the sale of electric energy generated at the Fort Peck project, Mont.; H. R. 4461, to approve transfer to the field of

certain functions relating to public lands; H.R. 4513, to eliminate the requirement of oaths in certain land matters unless the Secretary of the Interior shall so require.

SENATE

7. MEAT RATIONING. The "Daily Digest" states that a subcommittee of the Banking and Currency Committee disapproved, 3-2, S. 2024, to provide for the allocation of meat and a stand-by rationing program (p. D88).
8. NATIONAL FORESTS. The Interior and Insular Affairs Committee reported with amendments S. 1037, to authorize the revision of the boundaries of the Caribou National Forest, Idaho (S.Rept. 877) (p. 978).
9. RESEARCH. The Interior and Insular Affairs Committee reported without amendment S. 134, to authorize an additional \$30,000,000 for the construction and operation of demonstration plants to produce synthetic liquid fuels from agricultural and forestry, and other products (S. Rept. 872) (p. 978).
10. RECLAMATION; WATER UTILIZATION. The Interior and Insular Affairs Committee reported without amendment S. 1990, to provide a means for the orderly continuation and completion of the Deer Creek and aqueduct divisions of the Provo River project, Utah (S.Rept. 878) (p. 978).
11. PERSONNEL. The Joint Committee on Reduction of Nonessential Federal Expenditures submitted a report on Government personnel for December 1947 (pp.980-3). Sen. Byrd, Va., inserted his statement on the personnel situation, calling the personnel reduction for the first six months of the fiscal year 1948 "negligible," and stating, "If we are going to stay even within the budget employment estimate, personal-service funds in some of the appropriation bills must be cut more sharply than they have been to date in the independent offices bill" (pp. 982-3).
12. ST. LAWRENCE SEAWAY. Continued debate on S.J. Res. 111, to authorize this project (pp. 983-97, 1003-6).
13. FOREIGN AID. Sen. Jenner, Ind., suggested 9 points which he would consider in formulating a European recovery plan (pp. 997-1000).
14. EMERGENCY CONTROLS. Received from the Commerce Department the second quarterly report under the Second Decontrol Act of 1947 (p. 977).

15. TRANSPORTATION. S.J.Res. 172 as passed (Feb. 2) would authorize vessels of Canadian registry to transport iron ore on the Great Lakes between U.S. ports during the calendar year 1948.

The Interstate and Foreign Commerce Committee in reporting the measure stated:

"The extent to which Canadian vessels can participate in the United States ore trade depends largely upon the amount of grain and coal they must move. Grain movement has been extremely heavy during the past 2 years, and is expected to continue to be for some years...Some of these [40 Canadian vessels] may be able to haul only a few cargoes of ore, dependent on when they can be spared from grain and coal haulage."

BILLS INTRODUCED

16. PLANT INDUSTRY. H.Res. 452, by Rep. Thompson, Tex., to request the Secretary of Agriculture to take action to prevent damage to valuable crops as a result of

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDING PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 3924) to amend the Public Health Service Act in regard to certain matters of personnel and administration, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, I think we ought to have an explanation of this bill.

Mr. DOLLIVER. Mr. Speaker, the gentleman from Ohio has asked for an explanation of the bill. The bill is rather technical. It is designed to amend the Public Health Service Act to bring it into conformity with the promotion and classification bill which was passed with respect to the Army in the first session of the Eightieth Congress.

The gentleman will perhaps recall that we had a very lengthy debate on that bill to set up the classifications in the Army and the number of officers and grades and so forth. From the very beginning the Public Health Service has conformed with respect to its classifications with the classifications in the medical service of the Army. That is what this bill is designed to do.

Mr. SMITH of Ohio. The bill deals with nothing except classifications?

Mr. DOLLIVER. That is correct, generally speaking. There is a provision that the Public Health Service can put certain people in schools for further training. That is a very minor matter.

I am informed by the Service that they estimate the cost the first year will be \$275,000 and following that the cost will be \$75,000 per year. I might say that this bill is a bill of the Public Health Service and if passed I shall ask unanimous consent that a Senate bill which was passed yesterday be substituted for the House bill.

Mr. WALTER. Mr. Speaker, reserving the right to object, was the Senate bill debated?

Mr. DOLLIVER. Yes; I understand it was. I was not present, but I am so informed.

Mr. WALTER. Does not the gentleman feel that this matter is of sufficient importance to consider it on another calendar?

Mr. DOLLIVER. The gentleman asks my opinion on that. I feel it has been given very thorough study by the Committee on Interstate and Foreign Commerce. It is a good bill and really should not take the time of the entire House because it is noncontroversial.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, if the gentleman will yield, I would like to point out what the gentleman has already said that the bill has been extremely carefully considered already and has had the closest attention of the Committee on Interstate and Foreign Commerce.

Mr. JUDD. Mr. Speaker, I have been trying to get a copy of this bill because it was called to my attention this morning. In the absence of a copy of it, I

ask unanimous consent that the bill be passed over without prejudice. I have been trying to get it for 20 minutes and I cannot get one.

Mr. DOLLIVER. May I ask the gentleman to withhold his request. Our committee tried to get this bill before the House last summer but due to the exigencies of time, it was impossible to do so. Surely the gentleman has some confidence in the committee that considered this bill.

I assure the gentleman from Minnesota that it is not controversial in nature and ought to be passed for the benefit of this very important service of our Government. Of course, we cannot control the gentleman. I recognize that.

Mr. JUDD. Mr. Speaker, much as I regret to be in divergence with my esteemed colleague, I have to ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

RATING FOR SERVICE-CONNECTED ARRESTED TUBERCULOSIS

The Clerk called the bill (H. R. 4243) to provide minimum ratings for service-connected arrested tuberculosis.

Mr. KEAN, Mr. CHENOWETH, and Mr. ROCKWELL objected.

DEATH-PENSION BENEFITS TO WIDOWS AND CHILDREN OF VETERANS

The Clerk called the bill (H. R. 4242) to amend the income limitation governing the granting of pension to veterans and death-pension benefits to widows and children of veterans, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. For the same reason, Mr. Speaker, I object.

Mr. CHENOWETH and Mr. ROCKWELL objected, and the bill was stricken from the calendar.

SERVICEMEN'S READJUSTMENT ACT, 1944

The Clerk called the bill (H. R. 4309) to amend title III of the Servicemen's Readjustment Act of 1944 (GI bill of rights) pertaining to "loans for the purchase or construction of homes, farms, and business property," so as to provide more adequate and effective farm-loan benefits.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PACE. Mr. Speaker, reserving the right to object, I would like to state that this bill is identical, practically word for word, with present law. We now have a law making farm loans to veterans, administered by the Farm Loan Administration. A reading of the bill shows that this bill was taken almost identically from present law. All it does is to set up a similar program under the Farm Credit Administration. We would therefore be faced with two identical laws, doing identically the same thing, one under the Farm Loan Administration and the other under the Farm Credit Administration.

Not only that, but it involves many millions of dollars. Therefore, I object to the bill.

The SPEAKER. The Clerk will call the next bill.

Mr. PACE. I wanted the bill stricken from the calendar, Mr. Speaker. I objected to its consideration.

The SPEAKER. The bill cannot be stricken from the calendar until 2 weeks from today when three objections are required. It will be called again in 2 weeks; and then, if there are three objections, it will be stricken from the calendar.

The Clerk will call the next bill.

AUTHORITY TO SEND MILITARY AND NAVAL MISSIONS TO FOREIGN GOVERNMENTS

The Clerk called the bill (H. R. 2313) to amend the act of May 19, 1926 (44 Stat. 565), as amended by the acts of May 14, 1935 (49 Stat. 218), and of October 1, 1942 (56 Stat. 763), providing for the detail of United States military and naval missions to foreign governments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object, it is my understanding that the gentleman from Georgia [Mr. VINSON] and the gentleman from Texas [Mr. RAYBURN] had spoken to the gentleman and that he had agreed to an amendment which we will offer as a committee amendment to this bill.

Mr. FOLGER. Mr. Speaker, there is some misunderstanding about that. The gentleman from Georgia [Mr. VINSON] asked me if I had objection to it upon the ground that it might permit combatant forces, and I said, "Yes; that is an objection to it"; and he said they expected to amend it. I do not know anything about it.

Mr. ANDREWS of New York. The committee amendment is on the desk. Will the gentleman withhold his request until he hears the amendment?

Mr. FOLGER. I would not want to pass upon that amendment right now.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. FOLGER. I yield.

Mr. SHORT. I trust the gentleman from North Carolina will not press his request that it be passed over. When this bill was first presented to our Committee on Armed Services, I was strongly inclined to oppose it, but after further hearings and more mature deliberation, the bill was unanimously reported by our committee. Especially since I have had the privilege of visiting our military and naval missions in some of the foreign countries, I am convinced that this legislation is quite necessary at this time to protect our interests.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. VINSON. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FOLGER. Mr. Speaker, I object. RESERVE OFFICERS' TRAINING CORPS

The Clerk called the bill (H. R. 4143) to provide for the effective operation and expansion of the Reserve Officers' Training Corps, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, at the request of the author of the bill, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

REGIONAL AGRICULTURAL CREDIT CORPORATION OF WASHINGTON, D. C.

The Clerk called House Joint Resolution 275, to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make loans to fur farmers, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I understand that a rule has been requested on this bill. I therefore ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

RESERVED MINERAL INTERESTS

The Clerk called the bill (H. R. 4856) to delay the liquidation of mineral interests reserved to the United States, as required by the Farmers' Home Administration Act of 1946, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, no mineral interests reserved to the United States which are required to be liquidated under the terms of the Farmers' Home Administration Act of 1946 shall be sold by the Secretary of Agriculture or transferred by him to appropriate agencies of the United States for disposition as surplus property of the United States until hereafter authorized by law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING PURCHASE OF POST-OFFICE SITE AT OMAHA, NEBR.

The Clerk called the bill (H. R. 4836) to authorize the purchase of a new post-office site at Omaha, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in Omaha, Nebr., for the purpose of erecting thereon a building for the use and accommodation of the United States post office at Omaha.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACQUISITION OF SITE FOR NEW FEDERAL BUILDING IN HUNTINGTON, W. VA.

The Clerk called the bill (H. R. 3506) to provide for the acquisition of a site for a new Federal building in Huntington, W. Va., adjoining existing Federal buildings there, as an economy measure, before land values have increased as a result of improvements.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator is authorized and directed to acquire, by purchase, condemnation, or otherwise, a plot of land 200 feet long and 90 feet wide, together with all improvements thereon, situated at the southeast corner of Fifth Avenue and Eighth Street, in the city of Huntington, W. Va., for use as a site for the erection of a new Federal building. Such plot of land is more particularly described as follows:

Beginning at a point where the south line of Fifth Avenue intersects with the east line of Eighth Street; thence along the line of Eighth Street 200 feet to an alley; thence in an easterly direction and with the north line of said alley to a point; thence in a northerly direction and parallel with the line of Eighth Street 200 feet to a point in the south line of Fifth Avenue; thence in a westerly direction and with the south line of Fifth Avenue 90 feet to the place of beginning.

With the following committee amendments:

Page 1, line 5, after the word "land", insert the word "approximately."

Page 1, line 8, after the word "and", insert the word "approximately."

Page 2, line 6, after the word "Street", insert the word "approximately."

Page 2, line 9, after the word "Street", insert the word "approximately."

Page 2, line 12, after the word "Avenue", insert the word "approximately."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NEW POSTAL BUILDING IN PORTLAND, OREG.

The Clerk called the bill (H. R. 4967) to provide for the acquisition of a site and preparation of plans and specifications for a new postal building and for remodeling of the existing main post-office building in Portland, Oreg., and for other purposes.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in Portland, Oreg., and to prepare or cause to be prepared plans and specifications for a new building to be located on such site and for the remodeling of the existing main post office all to provide additional postal facilities in said city. The cost of such plans and specifications and the acquisition of the site shall not exceed \$300,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RESTORATION OF THE FRIGATE "CONSTELLATION"

The Clerk called the bill (H. R. 4505) to provide for the preservation of the

frigate *Constellation* and to authorize the disposition of certain replaced parts of such vessel as souvenirs, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1796) to provide for the preservation of the frigate *Constellation* and to authorize the disposition of certain replaced parts of such vessel as souvenirs, and for other purposes, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to repair, equip, and restore the frigate *Constellation*, as far as may be practicable, to her original condition, but not for active service, and to accept and use any donations or contributions which may be offered for the aforesaid purpose. All costs of repairing, equipping, and restoring such frigate, other than the pay and allowances of naval officers and enlisted men engaged in such work, shall be defrayed from a fund consisting of such donations or contributions and the net proceeds of the sales made pursuant to section 2 of this act.

SEC. 2. The Secretary of the Navy is hereby further authorized to give or to sell, under such regulations as he may prescribe, such parts or pieces, including rigging, of the frigate *Constellation*, as are suitable for use as relics, souvenirs, or mementos, and which cannot profitably or advantageously be used in restoring this vessel to original condition, to clubs, associations, or individuals making donations or contributions for the restoration of the frigate *Constellation*. The cost of converting the aforesaid material into relics, souvenirs, or mementos shall be charged against, and the proceeds of such sales shall be added to, the fund created by authority of this act.

Mr. ANDREWS of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS of New York: Strike out all after the enacting clause and insert the provisions of the House bill as follows: "That the Secretary of the Navy is hereby authorized to repair, equip, and restore the frigate *Constellation*, as far as may be practicable, to her original condition, but not for active service, and to accept and use any donations or contributions which may be offered for the aforesaid purpose."

"SEC. 2. The Secretary of the Navy is hereby further authorized to give or to sell, under such regulations as he may prescribe, such parts or pieces, including rigging, of the frigate *Constellation*, as are suitable for use as relics, souvenirs, or mementos, and which cannot profitably or advantageously be used in restoring this vessel to original condition, to clubs, associations, or individuals making donations or contributions for the restoration of the frigate *Constellation*. The cost of converting the aforesaid material into relics, souvenirs, or mementos shall be charged against, and the proceeds of such sales shall be added to, the fund created by authority of this act."

H. R. 4856

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4 (legislative day, FEBRUARY 2), 1948

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

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6 Administration Act of 1946 shall be sold by the Secretary
7 of Agriculture or transferred by him to appropriate agencies
8 of the United States for disposition as surplus property of
9 the United States until hereafter authorized by law.

Passed the House of Representatives February 3, 1948.

Attest:

JOHN ANDREWS,

Clerk.

80TH CONGRESS
2D SESSION

H. R. 4856

AN ACT

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

FEBRUARY 4 (legislative day, FEBRUARY 2), 1948

Read twice and referred to the Committee on
Agriculture and Forestry

DELAYING LIQUIDATION OF CERTAIN MINERAL INTERESTS RESERVED TO THE UNITED STATES

JUNE 7 (legislative day, JUNE 1), 1948.—Ordered to be printed

Mr. CAPPER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 4856]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 4856) to delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes, having considered the same, report thereon with a recommendation that it do pass with an amendment.

At the end of the bill add a new sentence as follows:

Nothing contained in this Act shall be construed to supersede or modify in any way the provisions of section 9 of the Farmers' Home Administration Act of 1946.

The report of the subcommittee appointed for the consideration of H. R. 4856, and House Report No. 1240 are attached hereto and made a part of this report.

REPORT OF THE SUBCOMMITTEE OF THE COMMITTEE ON AGRICULTURE AND FORESTRY ON H. R. 4856

The subcommittee of the Committee on Agriculture and Forestry, appointed for the consideration of H. R. 4856, hereby reports to the committee with the recommendation that the bill be reported favorably to the Senate with the following amendment:

At the end of the bill add a new sentence as follows: "Nothing contained in this Act shall be construed to supersede or modify in any way the provisions of section 9 of the Farmers' Home Administration Act of 1946."

The Farmers' Home Administration Act of 1948 requires the Secretary of Agriculture to dispose of certain property which includes reserved mineral rights in lands to which the surface rights have been sold prior to the enactment of the act. The purpose of H. R. 4856 is to maintain the status quo on these mineral rights until further action by Congress. However, it is not intended to disturb or affect in any way suits heretofore tried or now pending involving mineral rights heretofore conveyed by any agency of the Government. The subcommittee

believes that further consideration must be given the proposed disposition of these reserved mineral rights before the proper formula can be determined, and that in the meantime the status quo should be preserved as provided by the pending bill.

The amendment recommended by the subcommittee makes clear that the bill does not require or authorize the Secretary to reserve, contrary to section 9 of the Farmers' Home Administration Act, mineral rights on lands to which the surface rights have not yet been sold. Section 9 of the Farmers' Home Administration Act provides that any conveyance of real estate by the Government or any Government agency under that act shall include all mineral rights.

Therefore, the subcommittee urges the enactment of H. R. 4856, as amended.

GEORGE A. WILSON, *Chairman.*

JAMES P. KEM.

ELMER THOMAS (Oklahoma).

[H. Rept. No. 1240, 80th Cong., 2d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 4856) to delay the liquidation of mineral interests reserved to the United States, as required by the Farmers Home Administration Act of 1946, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

This bill would require the liquidation of mineral interests reserved to the United States to be delayed until such time as the Congress may give full consideration to the matter of disposing of such properties. Unless this bill is enacted into law before February 14, 1948, the Secretary of Agriculture under the provisions of existing law will be required to transfer the mineral interests in question to appropriate agencies of the United States for disposition as surplus property.

Prior to the effective date of the Farmers Home Administration Act of 1946 (August 14, 1946), the Bankhead-Jones Farm Tenant Act required the reservation of at least three-fourths of the minerals in or under any property sold or disposed of which was acquired by the Secretary of Agriculture pursuant to that act. Much of the land comprising the resettlement and rural-rehabilitation projects and other assets formerly administered by the Farm Security Administration was not acquired pursuant to the provisions of the Bankhead-Jones Farm Tenant Act, but, following the congressional policy set forth in that act, similar reservations of minerals were made in sales and other disposals of all land administered by the Farm Security Administration. Reservations of minerals in connection with the sales of all types of land, whether sold as family-type farms or as surplus lands, are estimated by the Department of Agriculture to total approximately 11,000 separate reservations on approximately 1,300,000 acres of land.

The Farmers Home Administration Act of 1946 directs that all conveyances of real estate by the Government under that act shall include all mineral rights. The act did not specifically mention the sale of the reserved minerals referred to above. Section 2 (b) of the Farmers Home Administration Act requires the collection and liquidation of all assets formerly administered by the Farm Security Administration in accordance with the provisions of that act and the provisions of the Bankhead-Jones Farm Tenant Act, as amended. Under this provision no distinction was made between reserved mineral assets and other assets formerly administered by the Farm Security Administration. Subsequent sections of that act, however, prescribed a specific policy to be followed in the liquidation of land and other assets. It was specifically provided that any conveyance of real estate under the act should include all mineral rights, but no definite policy was enunciated to govern the disposition of reserved mineral interests except that, being assets subject to liquidation, they fell within the provisions of section 43 pertaining to liquidation of the residuum. Section 43 of the latter act provides that real and personal property which is not reserved for sale in family-size farms or which is not sold or otherwise disposed of in accordance with the provisions of the act within 18 months after the effective date of the Farmers Home Administration Act of 1946 shall be transferred by the Secretary of Agriculture to appropriate agencies of the United States for disposition as surplus property. Since the Farmers Home Administration Act is virtually silent with respect to the manner of handling reserved mineral rights they remain substantially intact and unless this bill becomes law before February 14, 1948, such mineral interests will be transferred for disposition as surplus property.

Whether the minerals so reserved are in fact surplus to the needs of the United States or whether their disposition as surplus property will best serve the interests of the public is, at least, subject to grave doubt. In any event the committee believes the matter to be of sufficient importance to warrant further and more specific consideration with a view to developing a policy for the disposal of such properties which all can be certain will be in the best interests of the country. Time does not permit the formulation and recommendation of such a policy at present because of the directions contained in the Farmers Home Administration Act of 1946 to liquidate such properties by transferring them to other agencies of the United States for disposition as surplus. Consequently this bill is reported favorably in order that the liquidation of the mineral interests referred to herein may be delayed until such time as the matter can receive the careful consideration of the Congress.



Calendar No. 1561

80TH CONGRESS
2D SESSION

H. R. 4856

[Report No. 1517]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4 (legislative day, FEBRUARY 2), 1948

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 7 (legislative day, JUNE 1), 1948

Reported by Mr. CAPPER, with an amendment

[Insert the part printed in italic]

AN ACT

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding any other provision of law, no mineral
4 interests reserved to the United States which are required
5 to be liquidated under the terms of the Farmers' Home
6 Administration Act of 1946 shall be sold by the Secretary
7 of Agriculture or transferred by him to appropriate agencies
8 of the United States for disposition as surplus property of
9 the United States until hereafter authorized by law. *Nothing*
10 *contained in this Act shall be construed to supersede or modify*

1 *in any way the provisions of section 9 of the Farmers' Home*
 2 *Administration Act of 1946.*

Passed the House of Representatives February 3, 1948.

Attest:

JOHN ANDREWS,

Clerk.

Calendar No. 1561

80TH CONGRESS
2^D SESSION

H. R. 4856

[Report No. 1517]

AN ACT

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

FEBRUARY 4 (legislative day, FEBRUARY 2), 1948

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 7 (legislative day, JUNE 1), 1948

Reported with an amendment

previous authorizations.

"Section 3 (c) of the bill, as amended, modifies the present provision as to when the construction work on forest development roads and trails shall be advertised and let to contract as compared to doing the work by force account by changing the amount of the estimated cost per mile when such construction work must be let to contract from \$5,000 or more per mile to \$10,000 or more per mile..."

The committee also reduced the annual authorization for Federal-aid highways from \$500,000,000 to \$400,000,000 and made certain other changes in these provisions.

9. PERSONNEL. Passed without amendment S. 2517, to amend the Civil Service Retirement Act to provide benefits to survivors of employees who had leave to cover the period subsequent to death to Mar. 1, 1948 (p. 7878).
10. RECLAMATION. Passed as reported H. R. 3218, to authorize an emergency fund for the Bureau of Reclamation to assure continuous operation of its systems (p. 7879).
Passed as reported S. 2286, to provide for nonreimbursable allocations on the Carlsbad project (p. 7879).
11. GRAZING LANDS. Passed without amendment H. R. 6073, to amend the Taylor Grazing Act so as to authorize the Government to accept contributions of land, and of money for improvements thereto, outside of grazing districts (p. 7880).
This bill will now be sent to the President.
12. CAFETERIAS. After discussion, passed over, at the request of Sen. Ball, S. 2779, to create a Government Services Corporation to manage cafeterias, etc., in Federal buildings (p. 7882).
13. FARM LOANS. Passed without amendment H. R. 6114, to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate by $\frac{1}{2}\%$, to provide for redemption of nondefaulting insured mortgages, to authorize advances for preservation and protection of the insured loan security, etc. (p. 7884). This bill will now be sent to the President.
14. FOREST LANDS; RURAL REHABILITATION. Passed without amendment H. R. 6113, to transfer a tract of Wis. Rural Rehabilitation Corp. land to the Forest Service (p. 7884). This bill will now be sent to the President.
15. LAND TITLES. Passed without amendment S. 2418, to remove the 10-year limitation on adjustment of land titles by the Secretary of Agriculture (p. 7884).
16. MINERALS. Passed as reported H. R. 4856, to delay liquidation of mineral interests reserved to the U. S. as required by the Farmers' Home Administration Act (p. 7884).
17. SUGAR PAYMENTS. Passed without amendment H. R. 5174, to authorize CCC to make adjustment payments to certain producers of raw cane sugar in Puerto Rico and Hawaii (p. 7886). This bill will now be sent to the President.
18. The following were included among the bills passed over:
S. 784, to provide maternity leave for Government employees (p. 7888).
S. 2279, to amend the Civil Service Retirement Act so as to extend benefits to employees who were involuntarily separated during the period from July 1, 1945, to July 1, 1947, after having rendered twenty-five years of service

but prior to attainment of age 55 (p. 7889).

S. 2839, to extend for 5 years the authority to provide for the maintenance of a domestic tin-smelting industry (p. 7889).

19. NATIONAL FORESTS. Concurred in House amendments to S. 1090, to remove the limitation governing exchanges of certain lands in the Superior National Forests, Minn., to safeguard and consolidate areas of exceptional public interest (p. 7765, June 9). This bill will now be sent to the President.

HOUSE

20. PRICE SUPPORTS. The "Daily Digest" states that the Agriculture Committee considered H.R. 6248, the price-support bill, and agreed to a "committee amendment, to be offered by Representative Hope, supporting until June 30, 1950, Irish white potatoes harvested before January 1, 1949, milk and its products, hogs, chickens, and eggs at 90 percent of 1948 parity" (p. D629). H.R. 6248 and the CCC charter bill, H.R. 6263, are to be considered on the floor today, June 11 (p. D629).

Rep. Murray, Wis., criticized the price-support program, claiming that the "Agricultural Department is now bushing the potato farmers of my State out of thousands of dollars...[and] cannot even operate a short-range agricultural program" (p. 7905).

21. HOUSING. The "Daily Digest" states that the Banking and Currency Committee ordered reported (but did not actually report) H.R. 6841, amending the National Housing Act, and that as reported the bill would include the "following titles of S. 866, the T-E-W housing bill: Title III, program of research and development by Housing and Home Finance Administration; title V, slum clearance and urban development; section VI, low-rent housing; and title VII, rural housing" (p. D629).

Passed without amendment S.J. Res. 231, authorizing \$10 million for stop-gap emergency housing in the Columbia River flood disaster area (pp. 7913-4). Passed by the Senate earlier in the day. This measure will now be sent to the President.

22. DISPLACED PERSONS. Began debate on H.R. 6396, to provide for the admission of 200,000 displaced persons within 2 years (pp. 7906-13, 7915-54).

23. TAXATION. The Rules Committee reported a resolution for the consideration of H.R. 6712, to provide for revenue revision and to correct tax inequities by making administrative and technical amendments to the Internal Revenue Code (pp. 7915, 7962).

24. PERSONNEL. The Post Office and Civil Service Committee ordered reported (but did not actually report) H.R. 5715, extending retirement benefits to employees who were involuntarily separated during the period from July 1, 1945 to July 1, 1947, after 25 years of service prior to attainment of age 55; and H.R. 6641, to amend the Civil Service Retirement Act to provide annuities for certain surviving spouses of annuitants retired prior to Apr. 1, 1948 (pp. D629-30).

Reps. Kirsten (Wis.) and Lyle (Tex.) spoke in favor of pay increases for Federal employees (pp. 7903, 7904).

Received citizens' petitions favoring pay increases for Federal employees (p. 7963).

25. OLEOMARGARINE. Rep. Rivers, S.C., urged passage of the bill to repeal taxes on oleomargarine (p. 7904).

26. HEALTH. The Interstate and Foreign Commerce Committee ordered reported

acres; (d) a portion of the northwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing thirty-three and forty-two one-hundredths acres; (e) Fairview Park in the east half southwest quarter southwest quarter northeast quarter and west half southeast quarter southwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing ten acres; (f) the east half northeast quarter northwest quarter of section 23, township 6 south, range 34 east, Boise meridian, containing twenty acres; (g) an irregular shaped area lying along the east side of the Pocatello Lateral in section 23, township 6 south, range 34 east, Boise meridian, containing ninety-seven and sixty-two one-hundredths acres; and (h) the southwest quarter southwest quarter southwest quarter of section 24, township 6 south, range 34 east, Boise meridian, containing ten acres. The above-described tracts of land, together with such lands in the portion of the village of Alameda lying between the Pocatello Lateral and the Oregon Short Line Railroad right-of-way in section 23, township 6 south, range 34 east, Boise meridian, as (notwithstanding their inclusion in the irrigable acreage shown by the maps and plats hereinabove mentioned) have no water right at present, shall be entitled to receive, or to continue to receive, water through pumping operations or by gravity flow, provided the respective owners thereof, within five years from the date of the enactment of this act, enter into contracts whereby they agree (1) to pay their proper proportionate share of the project construction costs of \$18.12 per acre, as these costs are defined in the report referred to in section 1 of this act, for such of their lands as do not now have a project water right; (2) to pay their proper proportionate share of the project rehabilitation and improvement costs of \$15.10 and not to exceed \$7.50 per acre, respectively, for such of their lands as are not now covered by contracts for the repayment of such costs; and (3) to install, maintain, and operate, at their own expense, pumping machinery to lift the water from the project canals or laterals for the irrigation of such of their lands as cannot be supplied by gravity flow. The noninclusion of the Fort Hall town site within the net irrigable area of the project as hereby established shall not prevent the obtaining of water rights therefor in accordance with the act of March 1, 1907 (34 Stat. 1015, 1025).

SEC. 5. There is excluded from the Fort Hall Indian irrigation project by the designation of the project area in section 4 of this act the nine thousand six hundred and seventy acres of tribal, allotted, and non-Indian-owned lands located between Fort Hall and Gibson, Idaho, heretofore authorized to be included in the project by the act of March 3, 1927 (ch. 371, 44 Stat. 1398). The construction costs apportioned to the tribal lands so excluded are hereby canceled and the water rights are made available for project use. The water rights for the lands of the several allottees and non-Indian owners within the area so excluded shall not be impaired or affected by reason of such exclusion, but water shall be delivered only at the head of the laterals serving these lands. The respective owners of such lands may make their water rights available for project use, whereupon the construction costs assessed or assessable against their lands with respect to the water rights thus made available shall be canceled by the Secretary of the Interior. Allottees of lands within the excluded area, or their heirs or devisees, may donate or sell their lands to the tribe or may exchange their lands for assignments of tribal lands within the project area. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise

appropriated, \$8,000, or so much thereof as may be necessary, for the purchase by the Secretary of the Interior, in the name of the United States of America in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation, of one hundred and eighty acres of non-Indian-owned land, with water rights and improvements appurtenant thereto, described as the north half southeast quarter southwest quarter section 13, township 4 south, range 34 east, Boise meridian, and south half northeast quarter and north half southeast quarter section 7, township 4 south, range 35 east, Boise meridian, located within the area excluded from the Fort Hall Indian irrigation project by section 4 of this act.

SEC. 6. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$3,995 to compensate the following-named landowners, or their heirs, for work accomplished or for future work necessary in filling, leveling, and otherwise preparing for irrigation the abandoned portion of the old Fort Hall Main Canal within their holdings, in not to exceed the following amounts: Frank E. DeKay, \$401; Henry Jensen, \$633; Theodore H. Gathe, \$654; A. E. Albert, \$106; Ezra D. Wilson, \$127; J. M. Bistline, \$378; Ambrose H. McGuire, \$424; Ellen Griffith, \$412; C. M. Allen, \$116; Olive A. Granden, \$184; William Webster, \$28; Hiram Faulkner, \$114; Williamette Blakeslee, \$298; Frank Parker, \$99; and Henrietta C. Blakeslee, \$21.

SEC. 7. Pending the construction of a siphon to provide gravity-flow water to ninety-six and six-tenths acres of irrigable lands in the southwest quarter section 27 and east half section 28, township 5 south, range 34 east, Boise meridian, Idaho, which lands have been irrigated by pumping operations over a period of years, the Secretary of the Interior may accept the conveyance by the landowners of the pumping equipment for use of the Fort Hall Indian irrigation project and may operate such equipment as a part of said project in order to provide water for the irrigation of such lands; the acceptance of such conveyance being subject to the owners of the lands executing releases to the United States of any and all claims whatsoever due to the pumping operations carried on by such landowners.

SEC. 8. The Secretary of the Interior is authorized, in his discretion, to revise and reform, upon such terms and conditions as he may determine to be fair and equitable in all the circumstances affecting the interests of the United States and the contractors, existing contracts between the United States and the Idaho Irrigation District, the Progressive Irrigation District, and the Snake River Valley Irrigation District in Idaho, which contracts provide for certain payments by the districts to the United States for the benefit of works of the Fort Hall Indian irrigation project.

SEC. 9. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for refunds to Indians, or their heirs, the sum of \$1,419.55, representing irrigation assessments of the Fort Hall Indian irrigation project erroneously made and collected, as follows: Andrew F. Cutler, \$153.80; Alice Sorrell Johns, \$168.95; Nettie Stinson LaVatta, \$146.62; Earl Edmund Cutler, \$159.20; Charles Faulkner, \$145.25; Josephine LaVatta Rumas, \$155.20; May Phyllis LaVatta Brower, \$29.90; Leonard I. Cutler, \$135.85; Effie Diggie Houtz, \$122.75; Lucy Yandell Spencer, \$25; Charles Gerard Cutler, \$121.53; and Hattie Sorrell Siler Tillotson, \$55.50.

SEC. 10. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary for the relocating, rehabilitating, cleaning, and

extending of irrigation systems serving the lands irrigated from Ross Fork, Bannock, and Lincoln Creeks, which lands are outside of the Fort Hall Indian irrigation project, including the construction of a storage reservoir on Bannock Creek. The costs of any work benefiting Indian lands performed pursuant to this authorization shall be apportioned on a per acre basis and collected under laws applicable to Indian irrigable lands on the Fort Hall Indian irrigation project. Operation and maintenance charges against such lands shall likewise be subject to the same laws, rules, and regulations, as apply to Indian lands on the Fort Hall project. Any unpaid charges against such lands shall be subject to a first lien as provided in the act of March 7, 1928 (45 Stat. 200, 210). No expenditure shall be made under this authorization which will benefit lands in non-Indian ownership unless the owners thereof execute contracts providing for the repayment of their proportionate per acre share of the costs of the work assessable against their lands.

SEC. 11. In order to prevent the accumulation of delinquent project assessments or other charges against the non-Indian-owned lands of the Fort Hall Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to cause liquidation of all delinquent assessments or charges by taking such action as may be necessary, including the foreclosure of the Government's lien covering any such delinquent charges or by initiating such other procedure as may be legally available, which action may be taken by him at any time when in his judgment the best interests of the project would be served thereby.

SEC. 12. All acts or parts of acts inconsistent herewith are hereby repealed.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. BUTLER].

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 2171 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 1844) to authorize an appropriation for the construction, extension, equipment, and improvement of public-school buildings and facilities at Winnebago, Nebr., was announced as next in order.

Mr. FULBRIGHT. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. BUTLER subsequently said: Mr. President, I ask unanimous consent to return to Calendar 1554, Senate bill 1844, for just a moment. That is a bill to which the Senator from Arkansas objected. I have explained to the Senator, and I am perfectly willing to explain to the Senate, that the money involved is not a Federal subsidy, but every cent of the money is recouped by the Federal Government from the local school district.

The PRESIDENT pro tempore. Is there objection to the present consideration of Calendar 1554, Senate bill 1844?

Mr. FULBRIGHT. Mr. President, I objected, not on the ground that I object to Federal assistance to education, but

I had thought this was piecemeal Federal aid, that special districts were picked out and given Federal money as before, under the Federal aid bill which the Senate passed some time ago, but which apparently is to be killed in the House. I understand the money supplied is to be repaid by the districts, in which there are Indians. With that understanding I do not object.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1844) to authorize an appropriation for the construction, extension, equipment, and improvement of public-school buildings and facilities at Winnebago, Nebr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, \$215,000 for the purpose of co-operating with the school board of school district No. 17, Thurston County, at Winnebago, Nebr., for the construction, extension, equipment, and improvement of public-school buildings and facilities at Winnebago, Nebr.: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said buildings and facilities shall be available to all Indian children of the district on the same terms, except as to payment of tuition, as other children of said school district; *And provided further*, That any amount expended hereunder shall be recouped by the United States within a period of 30 years, commencing with the date of occupancy of the building or buildings, through reducing the annual Federal payments for the education of Indian pupils enrolled in public or high school of the district involved and in computing the amount of recoupment, interest at 3 percent per annum shall be included on any unrecovered balances.

CONVEYANCES OF OREGON SHORT LINE RAILROAD AND UNION PACIFIC RAILROAD

The bill (S. 2371) validating certain conveyances of the Oregon Short Line Railroad Co. and the Union Pacific Railroad Co. and waiving, relinquishing, and disclaiming all title and all right of reverter and forfeiture of the United States of America to the lands described in said conveyances; was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That that certain conveyance made by Oregon Short Line Railroad Company, a corporation of Utah, to the Colorado Milling and Elevator Company, a corporation of Colorado, dated September 30, 1927, and recorded April 25, 1932, at 9:02 antemeridian in book 68 of deeds at page 42, records of Bannock County, Idaho, and covering the following-described land located in Bannock County, Idaho, to wit: A tract of land one hundred feet wide and one hundred and forty feet long in northeast quarter of southwest quarter of section 26, township 6 south, range 34 east, of Boise meridian, and more particularly described as follows: Beginning at the present northeasterly corner of right-of-way of Oregon Short Line Railroad Company opposite and west of block 329 of townsite of Pocatello, said corner bearing south thirty-three degrees forty-two minutes twenty seconds east three thousand four

hundred and sixty-one and three-tenths feet from northwest corner of said section 26; thence south eight degrees forty-one minutes east along present easterly right-of-way boundary of said railroad company, one hundred and forty feet; thence south eighty-one degrees nineteen minutes west one hundred feet; thence north eight degrees forty-one minutes west one hundred and forty feet to point in the present northerly right-of-way boundary of said railroad company; thence north eighty-one degrees nineteen minutes east along said northerly right-of-way boundary one hundred feet to point of beginning, and containing in all thirty-two one-hundredths of an acre, more or less; and that certain conveyance made by the Union Pacific Railroad Company, a corporation of Utah, to the Colorado Milling and Elevator Company, a corporation of Colorado, dated April 28, 1941, and recorded May 29, 1941, at 2:14 postmeridian in book 84 of deeds at page 183, records of Bannock County, Idaho, and covering the following-described land located in Bannock County, Idaho, to wit: A trace of land one hundred feet wide and one hundred and forty feet long in northeast quarter of southwest quarter of section 26, township 6 south, range 34 east, of Boise meridian and more particularly described as follows: Beginning at the present northeasterly corner of right-of-way of Oregon Short Line Railroad Company opposite and west of block 329 of townsite of Pocatello, said corner being southeasterly corner of that certain tract of land conveyed by Oregon Short Line Railroad Company to the Colorado Milling and Elevator Company by quit-claim deed dated September 30, 1927, and recorded April 25, 1932, in book 68 at page 42 of deeds, records of Bannock County; thence south eight degrees forty-one minutes east along said right-of-way boundary one hundred and forty feet; thence south eighty-one degrees nineteen minutes west one hundred feet; thence north eight degrees forty-one minutes west one hundred and forty feet; thence north eighty-one degrees nineteen minutes east one hundred feet to point of beginning, and containing thirty-two one-hundredths of an acre, more or less; which said lands heretofore formed part of the right-of-way station grounds, and yards of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company granted by the United States of America to the Utah and Northern Railway Company, predecessor of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company, by act of Congress, dated September 1, 1888, or by any other act of Congress are hereby legalized, validated, and confirmed and all title and all rights of reverter or forfeiture of the United States of America in or to the lands described in said conveyances, as provided in the Act of September 1, 1888 (25 Statutes 452), or otherwise, is hereby waived, relinquished, and disclaimed.

NURSERIES AND NURSERY SCHOOLS FOR DISTRICT OF COLUMBIA CHILDREN

The bill (H. R. 5808) to continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children of the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6096) to provide for making available the Government-owned alcohol plants at Muscatine, Iowa, Kansas City, Mo., and Omaha, Nebr., for production of products from agricultural commodities was announced as next in order.

Mr. SALTONSTALL. Mr. President, at the request of several Senators, I have

been asked to request that this bill be passed over, in order that an amendment agreeable to all parties may be worked out.

The PRESIDENT pro tempore. Under objection, the bill will be passed over.

INCREASE OF INTEREST RATE ON TITLE I FARM TENANT ACT LOANS

The bill (H. R. 6114) to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the redemption of nondelinquent insured mortgages, to authorize advances for the preservation and protection of the insured loan security, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF LAND IN LANGLADE COUNTY, WIS., TO UNITED STATES FOREST SERVICE

The bill (H. R. 6113) to transfer certain land in Langlade County, Wis., to the United States Forest Service was considered, ordered to a third reading, read the third time, and passed.

ADJUSTMENT OF TITLES TO LANDS BY SECRETARY OF AGRICULTURE

The bill (S. 2418) to amend the act of July 8, 1943 (57 Stat. 388), entitled "An act to authorize the Secretary of Agriculture to adjust titles to lands acquired by the United States which are subject to his administration, custody, or control" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved July 8, 1943 (57 Stat. 388), is hereby amended by striking out the words "within 10 years."

LIQUIDATION OF CERTAIN MINERAL INTERESTS RESERVED TO UNITED STATES

The Senate proceeded to consider the bill (H. R. 4856) to delay the liquidation of mineral interests reserved to the United States as required by the Farmers Home Administration Act of 1946, and for other purposes; which had been reported from the Committee on Agriculture and Forestry with an amendment, at the end of the bill to insert "Nothing contained in this act shall be construed to supersede or modify in any way the provisions of section 9 of the Farmers Home Administration Act of 1946."

The amendment was agreed to.

Mr. WILLIAMS. Mr. President, may we have an explanation?

Mr. AIKEN. Mr. President, I believe that under existing law the United States is required to dispose of certain mineral rights which it had withheld in the sale of land which had been acquired through the Resettlement Administration and by other means. Under present law, the Government is required to dispose of the mineral rights before a certain date. I think that date has already passed. This bill will provide an extension of the time, so that the Government may hold on to those rights.

The PRESIDENT pro tempore. If there be no further amendment to be proposed, the question is on the engross-

ment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. HELEN E. SCOFIELD

The bill (H. R. 3641) for the relief of Mrs. Helen E. Scofield was considered, ordered to a third reading, read the third time, and passed.

PAYMENT OF FEES, EXPENSES, AND COSTS OF JURORS

The Senate proceeded to consider the bill (S. 19) relating to the payment of fees, expenses, and costs of jurors, which had been reported from the Committee on the Judiciary with amendments, on page 1, in line 12, after the words "courts of", to strike out "Hawaii, Puerto Rico"; on page 2, in line 3, after the word "Columbia", to insert "the United States District Court for the Territory of Hawaii, and the District Court of the United States for Puerto Rico"; and in line 11, after the word "same", to strike out "\$4" and insert "\$5", so as to make the bill read:

Be it enacted, etc., That section 2 of the act entitled "An act fixing the fees of jurors and witnesses in the United States courts, including the District Court of Hawaii, the District Court of Porto Rico (now 'Puerto Rico'), and the Supreme Court of the District of Columbia (now 'District Court of the United States for the District of Columbia')", approved April 26, 1926 (44 Stat. 323), as amended (U. S. C., title 28, sec. 600), is hereby amended to read as follows:

"Sec. 2. Jurors in the United States courts, except in the United States district courts of Alaska, and the Canal Zone, and except in the District Court of the Virgin Islands, and including the United States District Court for the District of Columbia, the United States District Court for the Territory of Hawaii, and the District Court of the United States for Puerto Rico, shall receive the following and no other compensation, except in cases otherwise expressly provided by law: For actual attendance at the place of trial or hearing of any court or courts, and for the time necessarily occupied in going to and returning from such place of trial or hearing, either at the beginning and end of service or at any time during the same, \$5 per day during such attendance: *Provided*, That whenever a juror is required to attend court thirty or more days in hearing a single case, he may be paid, in the discretion and upon the certification of the trial judge, a per diem of up to and not exceeding \$10 for each and every day in excess of 30 days he is required to hear such case.

"For the distance necessarily traveled by the shortest practicable route from their place of residence in going to and returning from the place of trial or hearing at the beginning and at the end of the term of service, 5 cents per mile: *Provided*, That for additional necessary daily transportation expenses, the cost of travel by common carrier shall be allowed not to exceed \$2 per day, or if it is not practicable to travel by common carrier a rate of 5 cents per mile shall be allowed but not to exceed \$2 per day, or if daily travel appears impracticable subsistence of \$2 per day shall be allowed: *Provided further*, That whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the marshal upon the order of the court in lieu of the foregoing allowance for subsistence, and such

sum may, in the discretion of the court, be taxed as costs."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REFERENCE TO COURT OF CLAIMS OF BILL FOR RELIEF OF AMERICAN ELEVATOR & MACHINE CO.

The resolution (S. Res. 251) was considered and agreed to, as follows:

Resolved, That the bill, S. 2208, for the relief of the American Elevator & Machine Co., with the accompanying papers, is hereby referred to the Court of Claims in pursuance of section 151 of the Judicial Code (28 U. S. C., sec. 257), for such action as the court may take in accordance therewith.

MRS. CARRIE M. LEE

The bill (H. R. 2062) for the relief of Mrs. Carrie M. Lee was considered, ordered to a third reading, read the third time, and passed.

CARE AND CUSTODY OF CERTAIN INSANE PERSONS

The Senate proceeded to consider the bill (S. 850) to provide for the care and custody of insane persons charged with or convicted of offenses against the United States, and for other purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 1, in line 7, after the word "Whenever", to insert "after arrest and"; on page 2, in line 18, after the word "upon", to insert "due"; on page 3, in line 2, after the word "proceeding" and the period, to insert "A finding by the judge that the accused is mentally competent to stand trial shall in no way prejudice the accused in a plea of insanity as a defense to the crime charged; such finding shall not be introduced in evidence on that issue nor otherwise be brought to the notice of the jury"; and on page 6, beginning in line 23, to strike out "Sec. 2. Sections 4851, 4852, and 4855 of the Revised Statutes of the United States, as amended (24 U. S. C. 211, 211a, and 211b), and sections 1, 2, and 3 of the act of June 23, 1874 (18 Stat. 251), as amended (24 U. S. C. 212, 213, and 214), are hereby repealed insofar as they are in conflict herewith", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to establish a hospital for defective delinquents," approved May 13, 1930 (46 Stat. 270, 18 U. S. C. 871-880), be, and the same is hereby, amended by adding at the end thereof the following sections:

"Sec. 12. Whenever after arrest and prior to the imposition of sentence or prior to the expiration of any period of probation the United States Attorney has reasonable cause to believe that a person charged with an offense against the United States may be presently insane or otherwise so mentally incompetent as to be unable to understand the proceedings against him or properly to assist in his own defense, he shall file a motion for a judicial determination of such mental competency of the accused, setting forth the grounds for such belief with the trial court in which proceedings are pending. Upon such a motion or upon a similar motion in behalf of the accused, or upon its own motion, the court shall cause the accused, whether or not previously admitted to bail, to be examined as to his mental condition by at least one qualified psychiatrist, who

shall report to the court. For the purpose of the examination the court may order the accused committed for such reasonable period as the court may determine to a suitable hospital or other facility to be designated by the court. If the report of the psychiatrist indicate a state of present insanity or such mental incompetency in the accused, the court shall hold a hearing, upon due notice, at which evidence as to the mental condition of the accused may be submitted, including that of the reporting psychiatrist, and make a finding with respect thereto. No statement made by the accused in the course of any examination provided for by this section, whether the examination shall be with or without the consent of the accused, shall be admitted in evidence against the accused on the issue of guilt in any criminal proceeding. A finding by the judge that the accused is mentally competent to stand trial shall in no way prejudice the accused in a plea of insanity as a defense to the crime charged; such finding shall not be introduced in evidence on that issue nor otherwise be brought to the notice of the jury.

"Sec. 13. Whenever the Director of the Bureau of Prisons shall certify that a person convicted of an offense against the United States has been examined by the board of examiners established pursuant to the act of May 13, 1930 (18 U. S. C. 876-879), and that there is probable cause to believe that such person was mentally incompetent at the time of his trial, provided the issue of mental competency was not raised and determined before or during said trial, the Attorney General shall transmit the report of the board of examiners and the certificate of the Director of the Bureau of Prisons to the clerk of the district court wherein the conviction was had. Whereupon the court shall hold a hearing to determine the mental competency of the accused in accordance with the provisions of section 12 above, and with all the powers therein granted. In such hearing the certificate of the Director of the Bureau of Prisons shall be prima facie evidence of the facts and conclusions certified therein. If the court shall find that the accused was mentally incompetent at the time of his trial, the court shall vacate the judgment of conviction and grant a new trial.

"Sec. 14. Whenever the trial court shall determine in accordance with sections 12 and 13 of this act that an accused is or was mentally incompetent, the court may commit the accused to the custody of the Attorney General or his authorized representative, until the accused shall be mentally competent to stand trial or until the pending charges against him are disposed of according to law. And if the court after hearing as provided in the preceding sections 12 and 13, shall determine that the conditions specified in the following section 15 exist, the commitment shall be governed by section 16 as herein provided.

"Sec. 15. Whenever the Director of the Bureau of Prisons shall certify that a prisoner whose sentence is about to expire has been examined by the board of examiners established pursuant to the act of May 13, 1930 (18 U. S. C. 876-879), and that in the judgment of the Director and the board of examiners the prisoner is insane or mentally incompetent, and that if released he will probably endanger the safety of the officers, the property, or other interests of the United States, and that suitable arrangements for the custody and care of the prisoner are not otherwise available, the Attorney General shall transmit the certificate to the clerk of the court for the district in which the prisoner is confined. Whereupon the court may in its discretion cause the prisoner to be examined by a qualified psychiatrist designated by the court and one selected by the prisoner, and shall, after notice, hold a hearing to determine whether the conditions

specified above exist. At such hearing the designated psychiatrist or psychiatrists may submit his or their reports, and the report of the board of examiners and other institutional records relating to the prisoner's mental condition shall be admissible in evidence. All of the psychiatrists and members of the board who have examined the prisoner may be called as witnesses, and be available for further questioning by the court and cross-examination by the prisoner or on behalf of the Government. If upon such hearing the court shall determine that the conditions specified above exist, the court may commit the prisoner to the custody of the Attorney General or his authorized representative.

"SEC. 16. Whenever a person shall be committed pursuant to section 15 of this act, his commitment shall run until the sanity or mental competency of the person shall be restored, or until the mental condition of the person is so improved that if he be released he will not endanger the safety of the officers, the property, or other interest of the United States, or until suitable arrangements have been made for the custody and care of the prisoner by the State of his residence, whichever event shall first occur. Whereupon the Attorney General or his authorized representative shall file with the court which made said commitment a certificate stating the termination of the commitment and the ground therefor; *Provided, however*, That nothing herein contained shall preclude a prisoner committed under the authority of section 15 hereof from establishing his eligibility for release under the provisions of this section by a writ of habeas corpus. The Attorney General or his authorized representative shall have authority at any time to transfer a prisoner committed to his custody under the authority of section 14 or section 15 hereof to the proper authorities of the State of his residence.

"SEC. 17. The Attorney General may authorize the use of any unexpended balance of the appropriation for 'support of United States prisoners,' for carrying out the purposes of this act or in payment of any expenses incidental thereto and not provided for by other specific appropriations.

"SEC. 18. If any provision of this act or the application thereof to any person or circumstance shall be held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REFERENCE TO COURT OF CLAIMS OF BILL FOR RELIEF OF MR. AND MRS. LEM MOTLOW

The resolution (S. Res. 252) was considered and agreed to, as follows:

Resolved, That the bill, S. 890, for the relief of Mr. and Mrs. Lem Motlow, with the accompanying papers, is hereby referred to the Court of Claims in pursuance of section 151 of the Judicial Code (28 U. S. C., sec. 257), for such action as the court may take in accordance therewith.

ADJUSTMENT PAYMENTS TO CERTAIN PRODUCERS OF RAW CANE SUGAR IN PUERTO RICO AND HAWAII

The bill (H. R. 5174) to authorize Commodity Credit Corporation to make adjustment payments to certain producers of raw cane sugar in Puerto Rico and Hawaii was announced as next in order.

Mr. BUCK. Mr. President, may we have an explanation?

Mr. FLANDERS. Mr. President, this bill relates to the practice by which the

Commodity Credit Corporation paid uniform prices for sugar to producers in Puerto Rico and Hawaii, based on the Cuban sugar prices, with allowances for freight charges. The practice was, at the end of the Cuban sugar crop purchases, to average the price, and apply that price to the purchases which had been made in Puerto Rico and Hawaii, making the adjustments on the crop of the next crop year. In so doing, it happened that there were four companies—three in Puerto Rico and one in Hawaii—which ceased to exist as companies in the next crop year. Therefore, it was impossible to pay them the adjustment on their crop, because they no longer produced and no longer sold. In the case of the Hawaiian company, it was sold to another firm. In the case of the Puerto Rican companies, they went out of business.

This measure simply permits the Commodity Credit Corporation to pay over to the assigns and successors of those four companies the amounts which are lawfully due to them.

Mr. WILLIAMS. How much is involved?

Mr. FLANDERS. Approximately \$200,000.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

AMENDMENT OF UNIFORM SYSTEM OF BANKRUPTCY ACT

The bill (S. 826) to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended by the act of June 22, 1938 (52 Stat. 840, 869), is hereby amended by striking out all of subdivision (a) of said section and substituting in lieu thereof the following:

"(a) (1) A preference is a transfer, as defined in this act, of any of the property of a debtor to or for the benefit of a creditor for or on account of an antecedent debt, made or suffered by such debtor while insolvent and within four months before the filing by or against him of the original petition initiating a proceeding under this act, the effect of which transfer will be to enable such creditor to obtain a greater percentage of his debt than some other creditor of the same class: *Provided, however*, That this section shall have no application to proceedings under chapter IX of this act.

"(2) For the purposes of subdivisions (a) and (b) of this section, and subject to the provisions of paragraph (3), a transfer shall be deemed to have been made or suffered at the time when it became so far perfected that no creditor obtaining under applicable law by legal or equitable proceedings on a simple contract a lien on such property, without a special priority (whether or not such a creditor exists), could acquire, after such perfection, any rights in the property so transferred superior to the rights of the transferee therein, and if such transfer is

not so perfected prior to the filing of the original petition initiating a proceeding under this act, it shall be deemed to have been made immediately before the filing of such original petition: *Provided, however*, That where real property is transferred for or on account of an antecedent debt, the transfer shall be deemed to have been made at the time when it became so far perfected that no bona fide purchaser from the debtor could acquire, after such perfection, any rights in the property so transferred superior to the rights of the transferee therein.

"(3) A transfer, wholly or in part, for or on account of a new and contemporaneous consideration shall, to the extent of such consideration and interest thereon and the other obligations of the transferor connected therewith, be deemed to be made or suffered at the time of the transfer, unless the applicable law requires the transfer to be perfected by recording, delivery, or otherwise, in order that no creditor described in paragraph (2) could acquire, after such perfection, any rights in the property so transferred superior to the rights of the transferee therein. A transfer to secure a future loan, if such loan is actually made, or a transfer which becomes security for a future loan, shall have the same effect as a transfer for or on account of a new and contemporaneous consideration. If any requirement specified in this paragraph (3) exists, the time of the transfer shall be determined by the following rules:

"I. Where (A) the applicable law specifies a stated period of time of not more than 30 days after the transfer within which recording, delivery, or some other act is required, and compliance therewith is had within such stated period of time; or where (B) the applicable law specifies no such stated period of time or where such stated period of time is more than 30 days, and compliance therewith is had within 30 days after the transfer, the transfer shall be deemed to be made or suffered at the time of the transfer.

"II. Where compliance with the law applicable to the transfer is not had in accordance with the provisions of subparagraph I, the transfer shall be deemed to be made or suffered at the time of compliance therewith, and if such compliance is not had prior to the filing of the original petition initiating a proceeding under this act, such transfer shall be deemed to have been made or suffered immediately before the filing of such original petition."

LEASES FOR OFFICE SPACE BY ADMINISTRATOR OF VETERANS' AFFAIRS

The bill (S. 2774) to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years was announced as next in order.

Mr. MILLIKIN. Mr. President, we have in the Finance Committee House bill 6730. I ask unanimous consent that the Committee on Finance be discharged from the further consideration of that bill, and that the Senate proceed to its consideration.

The PRESIDENT pro tempore. Without objection, it is so ordered, and without objection, the House bill will be considered.

There being no objection, the bill (H. R. 6730) to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years was considered, ordered

appropriating \$450,000 additional for REA administrative expenses. As reported from conference, the bill provides for liquidation of the War Assets Administration, as proposed by the House, but makes such liquidation effective Feb. 29, 1949, instead of Aug. 31, 1948, and appropriates \$65,000,000 (House, \$50,000,000; Senate, \$90,000,000).

46. HOUSING. Discussed H. R. 6959, the House substitute for S. 866, the T-E-W housing bill, but took no action (pp. 9258-62, 9264-5). The subject was also discussed in the House (pp. 9276-7).
47. ECONOMY; PERSONNEL. Received reports from the Joint Committee on Reduction of Nonessential Federal Expenditures regarding employment, etc., in the various departments and agencies (pp. 9206-16).
48. PAY RAISE. Passed with amendment H. R. 6916, to provide for permanent postal rates and increase the salaries of certain P. O. employees (pp. 9245-57). Conferees were appointed in both Houses (pp. 9257, 9381-2). The Senate amendment provided for revision of the classification structure in the Classification Act; increases in salaries of certain department heads, etc.; elimination of the \$10,000 ceiling; and a \$360 increase in salaries of Classification Act employees.
49. FOREIGN RELIEF. Concurred in the House amendments to S. 2376, providing for a revolving fund for purchase of agricultural commodities to be processed in occupied areas and sold (pp. 9271-2). This bill will now be sent to the President.
50. INDIAN RESERVATIONS. Passed as reported S. J. Res. 162, to rescind certain Interior Department orders establishing Indian reservations in Alaska, except for land actually used, including certain forest lands (pp. 9268-70).
51. DISASTER LOANS. Concurred in the House amendment to S. 2877, authorizing additional disaster loans by RFC, with an amendment increasing the amount to \$40,000,000 (p. 9228). The House concurred in this amendment to its amendment (p. 9355). This bill will now be sent to the President.
52. ARMY MILITARY APPROPRIATION BILL. Both Houses agreed to the conference report on H. R. 6771, this bill (pp. 9205-6, 9322-6). This bill will now be sent to the President.
53. TENNESSEE VALLEY AUTHORITY. Sen. McKellar, Tenn., inserted a letter defending his record regarding TVA (pp. 9257-8).
54. RECLAMATION. Sen. Watkins, Utah, inserted his statement criticizing the Bureau of Reclamation's record (pp. 9196-9).
The House
55. FOREST LANDS. /passed as reported S. 1243, providing for payment of certain national-forest receipts to the Warm Springs Indians, Oreg. (p. 9283). The Senate concurred in the amendments (p. 9199). This bill will now be sent to the President.
56. ALASKA DEVELOPMENT. Received from the Interior Department proposed legislation (1) to settle and extinguish land claims to the public domain in Alaska, and (2) to promote the settlement and development of the public domain in Alaska by facilitating the construction of necessary housing therein; to Interior and Insular Affairs Committee (pp. 9199-200).

HOUSE - June 19

57. ROAD AUTHORIZATIONS. Agreed to the conference report on H. R. 5883, authorizing additional appropriations for roads, including forest highways and forest development roads and trails (p. 9278). This bill will now be sent to the President.
58. FLOOD DAMAGE. Rep. Angell, Oreg., inserted a statement by this Department regarding recent agricultural flood damage in the Columbia Basin (pp. 9281-2).
59. CIVIL-SERVICE RETIREMENT. Concurred in the Senate amendment to H. R. 6651, to provide annuities for certain surviving spouses of annuitants retired prior to Apr. 1, 1948 (p. 9290). This bill will now be sent to the President.
60. MINERALS. Concurred in the Senate amendment to H. R. 4856, to delay liquidation of mineral interests reserved to the U. S. under the FHA Act (p. 9290). This bill will now be sent to the President.
61. TAXATION. Passed as reported H. R. 6712, to provide for revenue revision, to correct tax inequalities, and for other purposes (pp. 9290-322).
62. REMOUNT SERVICE. Passed without amendment S. 2698, to transfer certain Army horses to the New Mexico Military Institute, except those used in the Remount Service program (p. 9331). This bill will now be sent to the President.
63. INFLATION. Rep. Philbin, Mass., urged legislation to control the cost of living (pp. 9356-7).
64. SUGAR. Rep. Marcantonio, N. Y., discussed the economic situation in Cuba and Puerto Rico, particularly regarding sugar production, etc. (pp. 9384-8).

BILLS INTRODUCED - June 19

65. ALASKA DEVELOPMENT. H. R. 7001, to aid the settlement of Alaska and its development; to Public Lands Committee; by Rep. Welch, Calif. (p. 9392).
H. R. 7002, by Rep. Welch, to settle and extinguish land claims in Alaska to Public Lands Committee (p. 9392).
66. PERSONNEL. H. R. 7003, by Rep. Wolcott, Mich., to provide for a cash allowance for uniforms for U. S. employees; to Post Office and Civil Service Committee (p. 9392).
67. SUGAR. H. R. 7004, by Rep. Marcantonio, N. Y., repealing Sec. 202 (e) of the Sugar Act of 1948; to Agriculture Committee (p. 9392).

NOTE: The Congressional Record for June 19 does not include actions after 10:20 p. m. on that day. The next Record, which will include actions later that day and on June 20, will not be printed until Monday night, June 21, and will be available Tuesday morning. It is understood, however, that Congress took final action on the foreign-aid appropriation bill and the long-range farm program bill.

S. 1872. An act for the relief of Jose Babace;
S. 1973. An act for the relief of certain Basque aliens;

S. 1982. An act for the relief of Herman A. Bennink;

S. 1995. An act for the relief of George Bailey;

S. 2049. An act for the relief of the Alamo Irrigation Co.;

S. 2050. An act for the relief of Gracy Marliuch;

S. 2382. An act for the relief of Claris U. Yeadon;

S. 2504. An act for the relief of Horace J. Fenton, former associate professor at the United States Naval Academy;

S. 2524. An act for the relief of Carl Piowaty and W. J. Piowaty;

S. 2551. An act authorizing the Secretary of the Interior to issue a patent in fee to Mrs. Pearl Scott Loukes;

S. 2605. An act for the relief of the widow of Robert V. Holland;

S. 2662. An act conferring United States citizenship posthumously upon Vaso B. Benderach;

S. 2667. An act to amend and supplement section 2 of the act approved August 30, 1935, relating to the construction and financing of toll bridges over the Delaware River by the Delaware River Joint Toll Bridge Commission of the Commonwealth of Pennsylvania and the State of New Jersey;

S. 2686. An act to establish the Navajo-Hopi Administration, to provide for the rehabilitation of the Navajo and Hopi Indian Tribes, and for other purposes;

S. 2691. An act authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort Brown at Brownsville, Tex., and adjacent borrow area, without exchange of funds or reimbursement;

S. 2698. An act to authorize the transfer of horses and equipment owned by the United States Army to the New Mexico Military Institute, a State institution, and for other purposes;

S. 2705. An act to reimburse the James & Phelps Construction Co.;

S. 2709. An act for the relief of Stefan Magura and Michal Magura;

S. 2726. An act for the relief of Ellen Hudson, as administratrix of the estate of Walter R. Hudson;

S. 2764. An act to amend the Trading With the Enemy Act;

S. 2790. An act to amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes;

S. 2810. An act to prevent retroactive checkage of payments erroneously made to certain retired members of the Naval Reserve, and for other purposes;

S. 2831. An act to authorize the coordination of emergency and relief activities of Federal agencies in disaster areas, and for other purposes; and

S. 2850. An act to amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes," approved July 7, 1947.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1754. An act for the relief of Gabel Construction Co.;

H. R. 2009. An act for the relief of the estate of Vito Abarno;

H. R. 2352. An act to provide for sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees;

H. R. 2729. For the relief of the legal guardian of Rose Mary Ammirato, a minor; and

H. R. 3999. An act to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5904. An act to incorporate the Virgin Islands Corporation, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BUTLER, Mr. CORDON, and Mr. HATCH to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 4044) entitled "An act to amend the Trading With the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WILEY, Mr. COOPER, and Mr. MAGNUSON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2655) entitled "An act to provide for the common defense by increasing the strength of the armed forces of the United States, including the reserve components thereof, and for other purposes."

The message also announced that the Senate disagrees to the amendment of the House to the said bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GURNEY, Mr. SALTONSTALL, Mr. MORSE, Mr. TYDINGS, and Mr. BYRD to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2830) entitled "An act to extend for 5 years the authority to provide for the maintenance of a domestic tin-smelting industry"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BALDWIN, Mr. MORSE, and Mr. HILL to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1322) entitled "An act to provide a Federal charter for the Commodity Credit Corporation"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. AIKEN, Mr. YOUNG, Mr. THYE, Mr. THOMAS of Oklahoma, and Mr. ELLENDER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the com-

mittee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6705) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1949, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 126, 189, 211, 212, and 214 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 418) entitled "An act to provide for water pollution control activities in the Public Health Service of the Federal Security Agency and in the Federal Works Agency, and for other purposes."

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6402. An act to provide for extension of the terms of office of the present members of the Atomic Energy Commission.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 190. Joint resolution authorizing the printing and binding of a revised edition of Cannon's Procedure in the House of Representatives and providing that the same shall be subject to copyright by the author.

The message also announced that the Senate had passed a bill and concurrent resolution of the following title, in which the concurrence of the House is requested:

S. 2524. An act for the relief of Carl Piowaty and W. J. Piowaty; and

S. Con. Res. 28. Concurrent resolution to print as a document a manuscript entitled "Toward Peace," relating to American international relations.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1243. An act to provide for the payment of revenues from certain lands into the tribal funds of the Confederated Tribes of the Warm Springs Reservation of Oregon, and for other purposes; and

S. 1683. An act to confer jurisdiction on the State of New York with respect to offenses committed on Indian reservations within such State.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2830) entitled "An act to extend for 5 years the authority to provide for the maintenance of a domestic tin-smelting industry."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6935. An act making appropriations to supply deficiencies in certain appropria-

tions for the fiscal year ending June 30, 1948, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. BROOKS, Mr. GURNEY, Mr. BALL, Mr. McKELLAR, Mr. HAYDEN, and Mr. TYDINGS to be the conferees on the part of the Senate.

TO AMEND THE CIVIL SERVICE RETIREMENT ACT

Mr. REES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6651) entitled "An act to amend the Civil Service Retirement Act of May 29, 1930, to provide annuities for certain surviving spouses of annuitants retired prior to April 1, 1948," with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the first sentence thereof a new sentence as follows: 'Any such annuitant who died during the period beginning on February 29, 1948, and ending on April 30, 1948, leaving a surviving wife or husband, shall be deemed to have made the election authorized in the foregoing proviso and to have named such wife or husband to receive an annuity as provided in such proviso, but no such annuity shall become due or payable to such wife or husband prior to April 1, 1948.'"

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CONTESTED ELECTION—WILSON AGAINST GRANGER

Mr. LeCOMPTE. Mr. Speaker, I desire to call up House Resolution 692 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the election contest of David J. Wilson, contestant, against WALTER K. GRANGER, contestee, First Congressional District of Utah, be dismissed, and that the said WALTER K. GRANGER is entitled to his seat as a Representative of said district and State.

Mr. LeCOMPTE. Mr. Speaker, the committee has reached a conclusion on a very difficult contest; and in behalf of the committee I want to say that every member of the committee approached this contest in a judicial frame of mind, and throughout the hearing of evidence, arguments, and deliberations that attitude and frame of mind was maintained.

The conclusion represented by this resolution is an honest, sincere, and, I think, judicial decision of this difficult matter. All angles and all phases and incidents were considered. It is true this is not a unanimous conclusion, but it is a carefully considered decision, and the members of the committee did what seemed to be right and correct in the premises. There were irregularities in connection with the election beyond

doubt, and these were weighed. The majority believes that this resolution represents the correct conclusion.

Mr. Speaker, no one has asked to be heard, and I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FARMERS' HOME ADMINISTRATION ACT

Mr. HOPE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4856) entitled "An act to delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes," with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 9, after "law," insert "Nothing contained in this act shall be construed to supersede or modify in any way the provisions of section 9 of the Farmers' Home Administration Act of 1946."

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. HOPE]?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

RESCINDING CITATION FOR CONTEMPT AGAINST JOSEPH P. KAMP

Mr. CHURCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 495) to rescind the citation for contempt against Joseph P. Kamp, vice chairman of the Constitutional Educational League, Inc.

The Clerk read the resolution, as follows:

Resolved, That the citation heretofore voted by the Special Committee to Investigate Campaign Expenditures, 1944, Seventy-eighth Congress, second session, for contempt against Joseph P. Kamp, vice chairman of the Constitutional Educational League, Inc., be, and the same hereby is, rescinded for the following reasons:

1. Said citation was not the legal act of the said committee for the reason that information necessary to said committee and to each member thereof for their consideration was withheld from them.

Certain of said withheld and necessary information was improperly deleted from the official printed record of the hearings without the knowledge of any member of said committee and, therefore, was not available to the members of the said committee at the time they considered the matter and took action resulting in voting a citation for contempt.

Certain of other withheld and necessary information was denied to some members of said committee who were refused answers to specific questions about information available to other members of the committee. Some of this same withheld and necessary information was deliberately kept from the knowledge and consideration of a majority of the members of the said committee.

2. Said citation was not the legal act of the said committee for the reason that exhibits in evidence before the committee and necessary to said committee and to each

member thereof for their consideration was withheld from them.

The said withheld necessary exhibits were illegally removed from the committee's files prior to the consideration of the matter by the committee and were not available to the members of the committee at the time they took final action resulting in voting a citation for contempt.

3. The said citation resulted in the indictment of the said Joseph P. Kamp, who was tried for criminal contempt of the Congress in the district court of the United States for the District of Columbia in December 1946.

On behalf of the defense, the court issued a subpoena for one of the said withheld exhibits. Because the said withheld exhibit was not available in the files of the Clerk of the House of Representatives, where it legally belonged, having been removed without the knowledge of the committee or by the authority of the House, the defendant, the said Joseph P. Kamp, was prevented from presenting a full defense and therefore was denied a fair trial.

4. The said Joseph P. Kamp is again to be tried under the said indictment which resulted from the said illegal act of the said committee. The said withheld exhibit, together with the other committee exhibits, were delivered to a representative of the American branch of an international propaganda movement, and the former chairman of the said committee has unsuccessfully attempted to have the said withheld exhibits returned to the Clerk of the House of Representatives and has written to the said Joseph P. Kamp, * * * "We have made another effort to secure the memorandum you desire. We have not been able to get it." Therefore, the said withheld exhibit will again be unavailable and the said Joseph P. Kamp will again be unable to subpoena this evidence in his behalf and will therefore again be denied his constitutional right to a fair trial.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. EBERHARTER and Mr. KLEIN objected.

EXTENSION OF REMARKS

Mr. WHITAKER. Mr. Speaker, I ask unanimous consent to extend my remarks at that point in the Record where the bill (H. R. 2096) was passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

REVENUE REVISION ACT OF 1948

Mr. KNUTSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6712) to provide for revenue revision, to correct tax inequalities, and for other purposes, with committee amendments.

Mr. EBERHARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. I notice the motion stated "permission to offer amendments." Am I correct?

The SPEAKER. The gentleman misheard the request. The request was to suspend the rules and pass the bill with committee amendments.

Mr. EBERHARTER. Does that allow those who oppose the amendments 5 minutes on each amendment?

The SPEAKER. The rule provides for 20 minutes on each side. That is, the Republican side will have 20 minutes

[PUBLIC LAW 853—80TH CONGRESS]

[CHAPTER 766—2D SESSION]

[H. R. 4856]

AN ACT

To delay the liquidation of mineral interests reserved to the United States as required by the Farmers' Home Administration Act of 1946, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, no mineral interests reserved to the United States which are required to be liquidated under the terms of the Farmers' Home Administration Act of 1946 shall be sold by the Secretary of Agriculture or transferred by him to appropriate agencies of the United States for disposition as surplus property of the United States until hereafter authorized by law. Nothing contained in this Act shall be construed to supersede or modify in any way the provisions of section 9 of the Farmers' Home Administration Act of 1946.

Approved June 30, 1948.



